

**REMARKS/ARGUMENTS**

The Office Action mailed July 26, 2005 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Claim 1 has been amended to correct grammatical matters. No new matter has been added.

The First 35 U.S.C. § 103 Rejection

Claims 1, 8, 9, 16, 17, 24, 25, and 32 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bellemore et al (USP 6,088,728) and further in view of Mattaway et al (USP 6,226,678) among which claims 1, 9, 17 and 25 are independent claims. This rejection is respectfully traversed.

According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.<sup>1</sup>

Specifically, the Office Action contends that the elements of the presently claimed invention are disclosed in Bellemore except that Bellemore does "not explicitly teach of searching for a user"<sup>2</sup> but that in "Mattaway teaches of searching for said user (Col. 7, lines 20-

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<sup>1</sup> M.P.E.P § 2143.

<sup>2</sup> Office Action ¶ 3.

25) and updating the status of a user (Col. 7, lines 35-40).” The Office Action further contends that it would be obvious to one having ordinary skill in the art at the time of the invention to incorporate Mattaway into Bellemore in order to allow the system’s database to have an up-to-date record of sessions and locations of users. The Applicant respectfully disagrees for the reasons, among others, set forth below.

Claim 1 provides for:

a verifier communicating with said first memory and said second memory, said verifier periodically checking a session in said list of one or more sessions, said verifier searching for said user in said list of one or more ports if said session is inactive, said verifier updating said session if said user is identified on another port.

As provided in the specification, the “verifier 308 periodically checks each active session in the list of active sessions provided by the second memory 306. If the port associated with a session indicates that the session is no longer active, the verifier 308 searches all other ports to determine a new location for the user. If the user is identified on another port (and the port hop is allowed), the verifier 308 updates the variables of the active session in the second memory 306 to record the new port location and to record the port hop event. In this case, the verifier 308 does not require the user to re-authenticate, making the port hop seamless for the user. If the verifier 308 does not find the user on the other ports, the verifier 308 repeats the search on the other ports.” (Specification, page 12, [0021]). As such, the verifier searches the active session and if the session is not active on the port associated with the session, the verifier searches other ports to determine whether the user hopped to a different port.

**A. The prior art references do not teach or suggest “searching for said user in said list of one or more ports if said session is inactive”**

Mattaway teaches a "communication protocol for establishing real-time, point-to-point communications between client processes." (Abstract). A processing unit sends a query to a connection server which "then searches the database 34 to determine whether the callee is logged-in by finding any stored information corresponding to the callee's E-mail address indicating that the callee is active and on-line. If the callee is active and on-line, the connection server 26 then performs the primary point-to-point Internet protocol." (Col.7, lines 20-25). If "the callee is not on-line when the connection server 26 determines the callee's status, the connection server 26 sends an OFF-LINE signal or message to the first processing unit 12." (Col. 7, lines 31-33). Mattaway teaches a connection server that searches a database to determine whether a callee is on or off-line. If it is determined that the callee is off-line, the connection server merely sends a signal to the processing unit to indicate that the user is offline. The connection server does not search other ports to determine if the user hopped to a different port.

Claim 1, on the other hand, includes the element of “searching for said user in said list of one or more ports if said session is inactive.” If a session is determined to be inactive on a port, the claimed invention searches for the user on other ports to determine if the user has hopped to a different port. However, the connection server of Mattaway does not teach or suggest searching for the user on other ports once it has determined that the user’s session is inactive – rather, it only cares whether the user is or is not online.

As stated by the Examiner, Bellemore does "not explicitly teach of searching for a user." Thus, since neither Bellemore nor Mattaway teach searching for the user on another port, the

combination of Bellemore and Mattaway can not be said to render the claimed invention unpatentable.

**B. The prior art references do not teach a "verifier updating said session if said user is identified on another port"**

The connection server of Mattaway does not try to identify the user in another port. As stated above, Mattaway teaches a connection server that searches a database to determine whether a callee is on or off-line. If it is determined that the callee is off-line, the connection server merely sends a signal to the processing unit to indicate that the user is offline. The connection server does not search other ports to determine if the user hopped to a different port. Thus, Mattaway does not teach or suggest doing anything "if the user is identified on another port," let alone updating a session. Therefore, it does not and could not teach or suggest doing anything if the user is identified on another port. Accordingly, since Mattaway does not teach "updating said session if said user is identified on another port" as claimed in Claim 1, the combination of Bellemore and Mattaway can not be said to render the claimed invention unpatentable.

**C. There is no reasonable expectation of success that the combination of prior art references results in the claimed invention**

Bellemore teaches the use of a resource manager such that when "a client sends a command directed to the server, a resource manager inserted between the clients and the server intercepts the command and directs the server to select the session associated with a client prior to or at the same time that the resource manager forwards the intercepted command to the server.

Responses from the server are forwarded by the resource manager to the client that sent the command to which the response relates.” (Abstract, See, Col. 5, lines 34-56, Fig. 4A). Thus, Bellemore merely teaches the use of a resource manager, having a client on each of its ports, which is coupled to a port on a server. This allows multiple clients to share a single port on the server and to allow the server to maintain more than one session on each of its ports.

As stated above, Mattaway teaches a connection server that searches a database to determine whether a callee is on or off-line. If it is determined that the callee is off-line, the connection server merely sends a signal to the processing unit to indicate that the user is offline. The connection server does not search other ports to determine if the user port hopped to a different port.

The alleged combination of Bellemore and Mattaway would not result in the claimed invention. The alleged combination would result in a connection server that determines whether the user was on-line or off-line. If the user was off-line, the connection server would merely send an off-line signal to the resource manager. The connection server would not check other ports to determine whether the user port hopped to a different port. Thus, the alleged combination would not “allow the system’s database to have an up-to-date record of sessions and locations of users” as stated in the Office Action since the alleged combination would not provide an up-to-date location of the user. Rather, the system’s database would only have a record of whether the user was on or off-line.

Additionally, the alleged combination of the prior art references would not result in a “verifier searching for said user in said list of one or more ports if said session is inactive” as claimed in Claim 1. The connection server merely checks for a user in a database and does not

check on different ports. Thus, no searching of different ports would be conducted by the alleged combination of Bellemore and Mattaway.

Furthermore, the alleged combination would not result in a “verifier updating said session if said user is identified on another port” as claimed in Claim 1. Since the connection server would not search for the user on another port, it would not and could not update the session if the user port hopped. As such, the session would not be updated if the user was identified on another port.

Accordingly, the alleged combination of Bellemore and Mattaway does not teach or suggest all the claim limitations and cannot be said to render the claimed invention unpatentable. Thus, Applicant respectfully submits that Claim 1 is in condition for allowance and respectfully requests that this rejection be withdrawn.

Independent Claims 9, 17, and 25 contain elements similar to that as described above with respect to Claim 1, and thus Applicant respectfully submits that Claims 9, 17, and 25 are also in condition for allowance.

As to dependent Claims 8, 16, 24, and 32, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable. It is respectfully requested that this rejection be withdrawn.

The Second 35 U.S.C. § 103 Rejection

Claims 2, 3, 10, 11, 18, 19, 26, and 27 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bellemore and Mattaway as applied to claim 1 above, and further in view of Goldberg (USP 6,816,455). This rejection is respectfully traversed.

As to dependent Claims 2, 3, 10, 11, 18, 19, 26, and 27, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable. It is respectfully requested that this rejection be withdrawn.

The Third 35 U.S.C. § 103 Rejection

Claims 4-5, 12-13, 20-21, 28, and 29 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bellemore and Mattaway as applied to claim 1 above, and further in view of Raab (USP 5,751,967). This rejection is respectfully traversed.

As to dependent Claims 4-5, 12-13, 20-21, 28, and 29, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable. It is respectfully requested that this rejection be withdrawn.

The Fourth 35 U.S.C. § 103 Rejection

Claims 6, 14, 22, and 30 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bellemore and Mattaway as applied to claim 1 above, and further in view of Beadle (USP 6,766,373). This rejection is respectfully traversed.

As to dependent Claims 6, 14, 22, and 30, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable. It is respectfully requested that this rejection be withdrawn.

The Fifth 35 U.S.C. § 103 Rejection

Claims 7, 15, 23, and 31 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bellemore and Mattaway as applied to claim 1 above, and further in view of Beadle and Raab. This rejection is respectfully traversed.

As to dependent Claims 7, 15, 23, and 31, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable. It is respectfully requested that this rejection be withdrawn.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.



Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

THELEN REID & PRIEST, LLP

Dated: \_\_\_\_\_

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